GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:235
ANSWERED ON:20.11.2002
DEATH CUM RETIREMENT GRATUITY
HANNAN MOLLAH

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether it is a fact that the retirees from Government service for the period July 1, 1993 to March 31, 1995 were discriminated in grant of Death-cum-Retirement Gratuity in whose case the merger of Dearness Allowance was merely 20 per cent as against 97 per cent granted to those who retired after April 1, 1995;

(b) if so, whether it is also a fact that CAT, Mumbai and the Mumbai High Court, have held that the orders ignoring retirees for the aforesaid period for grant of such relief were discriminatory;

(c) if so, why the orders for grant of 97 per cent DA for merger for the purpose of Gratuity for pensioners during the aforesaid period have not been issued so far by the Government in view of the above-mentioned judgements; and

(d) the time by which these orders are likely to be issued?

Answer

THE MINISTER OF STATE OF THE MINISTRY OF SMALL SCALE INDUSTRIES, MINISTER OF STATE IN THE MINIS PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS, MINISTER OF STATE IN THE MINISTRY OF PLANNING AND M OF STATE IN THE DEPARTMENTS OF ATOMIC ENERGY AND SPACE. (SMT.VASUNDHARA RAJE)

(a) to (d): The issue was agitated by some pensioners before the CAT, Mumbai. The Hon`ble CAT ruled that they did not find any nexus or rational consideration in fixing the cut off date of 1.4.95. The Government has filed a Writ Petition against the Judgement before the High Court of Judicature, Mumbai. The Writ Petition has been admitted and the matter is sub-judice.